

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Mark C. Nicely, et al.  
Appl. No.: 10/668,670  
Conf. No.: 1055  
Filed: September 22, 2003  
Title: INTERACTIVE STREAK GAME  
Art Unit: 3714  
Examiner: Mark Alan Sager  
Docket No.: 3718611-03588

**Mail Stop OFFICE OF PETITIONS / OPLA**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER REGARDING PATENT TERM ADJUSTMENT AT ALLOWANCE**  
**PURSUANT TO COMMENT 43 OF THE FINAL RULE**

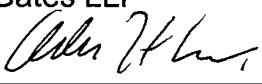
Dear Sir:

On the basis of good faith and candor, Applicant would like to bring the Office's attention to the Patent Term Adjustment (PTA) calculation included in *Notice of Allowance and Determination of Patent Term Adjustment*, mailed March 24, 2010 for the above-captioned application, which indicated the Total PTA is 600 days. This PTA appears to be overstated. The Applicant (APPL) Delay days of 226 may be understated, which could result in the recalculated Total PTA at issuance being longer than appropriate, and incorrectly printed on the patent face.

Please review these PTA calculations with attention to the *Information Disclosure Statement* received January 22, 2008, following the *Request for Continued Examination (RCE)* filed January 14, 2008.

Applicant believes that no fee is due at this time. Any fees that may be due, however, may be applied to Deposit Account No. 02-1818.

Respectfully submitted,  
K&L Gates LLP

BY   
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Dated: June 9, 2010